

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Baley

Confirmation No. 9865

Serial No. 10/567,367

Group Art Unit 1616

Filed February 7, 2006

Examiner Pak

For SUPPRESSION OF FOLIAR AND SOILBORNE PATHOGENS

Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

PETITION FOR A ONE MONTH EXTENSION OF TIME AND
RESPONSE TO RESTRICTION REQUIREMENT

Sir:

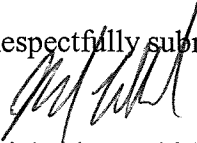
The applicant hereby petitions for a one month extension of time to respond to the office action mailed May 3, 2011. The Commissioner is authorized to charge attorney's deposit account 50-2041 (Whitham, Curtis, Christofferson & Cook) for the extension of time fee and for any other fees required to gain entry of this response.

In response to the office action mailed May 3, 2011, the applicant elects, without traverse, the Group 1 invention which includes claims 1-12(in part), 13, 15 (in part), 16, 18-19 (in part), 41 (in part), 46-49 (in part), and 54-57 (in part) drawn to a method for controlling fungal disease on a herbicide resistant wheat crop. Regarding the requirement for election of species, the applicants have elected glyphosate as the herbicide and Puccinia as the fungal pathogen.

In view of the above, please proceed to examination on the merits.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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